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DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR A BUILDING DATABASE MANIPULATOR

the specification of which:

(check one) ☒ is attached hereto
☐ was filed on _____
as Application Serial No. _____
and was amended on _____
(if applicable)

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I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			priority claimed
(Number)	(Country)	(Day/Month/Year Filed)	yes no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status: patented, pending, abandoned)

and any continuation applications thereof currently pending.

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Power of Attorney: As a named inventor, I hereby appoint C. Lamont Whitham, Reg. No. 22,424, Marshall M. Curtis, Reg. No. 33,138, and Michael E. Whitham, Reg. No. 32,635, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to Whitham, Curtis & Whitham, Reston International Center, 11800 Sunrise Valley Dr., Suite 900, Reston, Virginia 20191. Telephone calls should be directed to Whitham, Curtis & Whitham at (703) 391-2510.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole
or First Inventor

Theodore S. Rappaport

Inventor's Signature

Date

5/26/99

Residence

1770 St. Andrews Circle, Blacksburg, Virginia 24060

Citizenship

USA

Post Office Address

Same as above

COPY

Full Name of Second

or Joint Inventor

Roger R. Skidmore

Inventor's Signature

Date

5/26/99

Residence

407 Hunt Club Drive, Apt. 371, Blacksburg, Virginia 24060

Citizenship

USA

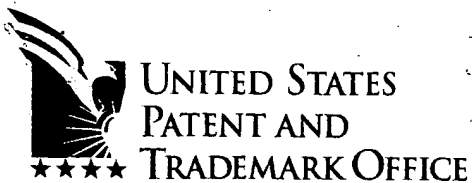
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Same as above

Title 37, Code of Federal Regulations, § 1.56:

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unparentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unparentability relied on by the Office, or (ii) asserting an argument of patentability.

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MAY 20, 2003

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Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

WHITHAM, CURTIS & CHRISTOFFERSON, P.C.
MICHAEL E. WHITHAM
11491 SUNSET HILLS ROAD
SUITE 340
RESTON, VA 20190

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102343462A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/16/2003

REEL/FRAME: 013666/0211
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
RAPPAPORT, THEODORE

DOC DATE: 01/07/2003

ASSIGNOR:
SKIDMORE, ROGER

DOC DATE: 01/07/2003

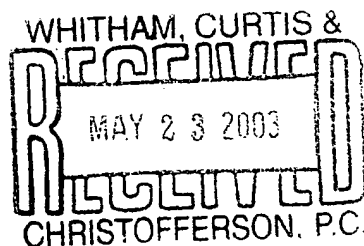
ASSIGNEE:
WIRELESS VALLEY COMMUNICATIONS,
INC.
2404 RUTLAND DRIVE, SUITE 700
AUSTIN, TEXAS 78758

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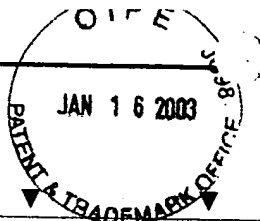
SERIAL NUMBER: 09318841
PATENT NUMBER:

FILING DATE: 05/26/1999
ISSUE DATE:

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



Tab settings



01-22-2003



102343462

Patent No.: 02560015AA

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please receive the attached original documents or copy thereof.

1. Name of conveying party(ies):

Theodore Rappaport
Roger Skidmore

1.16.03

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: 1/7/2003

2. Name and address of receiving party(ies):

Name: Wireless Valley Communications, Inc.

Internal Address:

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Street Address: 2404 Rutland Drive, Suite 700

City: Austin State: TX ZIP: 78758

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/318,841

5/26/1999

B. Patent No.(s)

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Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael E. Whitham

Internal Address: Whitham, Curtis & Christofferson, P.C

Street Address: 11491 Sunset Hills Road

Suite 340

City: Reston State: VA ZIP: 20190

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

50-2041 (Deficiencies)

01/22/2003 LMUELLER 00000056 09318841

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael E. Whitham

Name of Person Signing

Signature

1/16/2003

Date

Total number of pages including cover sheet, attachments, and document:

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ASSIGNMENT OF INVENTION

WHEREAS, We, Theodore Rappaport and Roger Skidmore have invented certain new and useful improvements in U.S. Patent Application Serial Number 09/318,841 filed May 26, 1999 and titled METHOD AND SYSTEM FOR A BUILDING DATABASE MANIPULATOR.

AND WHEREAS, WIRELESS VALLEY COMMUNICATIONS, INC. having a principal place of business in Austin, Texas referred to as Assignee, is desirous of acquiring our interest in said invention and in any Letters Patent which may be granted therefor.

NOW THIS INDENTURE WITNESSETH, That for a valuable consideration, the receipt of which is hereby acknowledged, we hereby assign, sell and transfer unto the said assignee, our entire right, title and interest in and to inventions disclosed in said application and in and to any Letters Patent of the United States and in and to any Letters Patent or Inventor's Certificates of any and all foreign countries which may be granted therefor, and in and to any and all priority and/or Convention rights or benefits accruing or to accrue to us with respect to the filing or securing of patents in the United States and/or securing of patents or inventor's certificates in any and all countries foreign thereto.

AND WE hereby grant to assignee the right to apply in its own name for patents or inventor's certificates corresponding to the above invention in countries foreign to the United States.

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AND WE hereby further agree to sign and properly execute such necessary and lawful papers for application for foreign patents and inventor's certificates for filing applications for United States, foreign patents and inventor's certificates for subdivisions of any applications for patent or inventor's certificate and/or for obtaining any reissue or reissues of any Letters Patent which may be granted for our aforesaid invention and to perform such further acts as may be required to carry out the intent of this agreement as the assignee thereof shall hereafter require and prepare at assignee's expense.

WITNESSETH, my hand this 7th day of January, 2003.

Theodore Rappaport

Roger Skidmore

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CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Application Number	09/318,841
Filing Date	5-26-99
First Named Inventor	Theodore S. Rappaport
Art Unit	2171
Examiner Name	Ella Colbert
Attorney Docket Number	02560015AA

Please change the Correspondence Address for the above-identified application to:



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OR

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Firm or
Individual Name

Michael E. Whitham

Address

11491 Sunset Hills Road

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Suite 340

City

Reston

State

Va.

ZIP

20190

Country

U.S..A.

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Fax

703-787-7557

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I am the :



Applicant/Inventor.



Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record.



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Typed or Printed
Name

Michael E. Whitham

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Signature

Date

3-7-03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.



*Total of 1 forms are submitted.

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §1.9(f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- (check one) ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Wireless Valley Communications, Inc.
 ADDRESS OF CONCERN 104 Hubbard Street, Blacksburg, Virginia 24060

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I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 C.F.R. §121.3-18, and reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third part or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **METHOD AND SYSTEM FOR A BUILDING DATABASE MANIPULATOR** by inventors Theodore S. Rappaport described in:

- (check one) ☒ the specification filed herewith.
☐ application Serial No. < > filed < >
☐ Patent No. < > issued < >

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. §1.27)

NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

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NAME _____
 ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Theodore S. Rappaport
 TITLE OF PERSON SIGNING President
 ADDRESS OF PERSON SIGNING Wireless Valley Communications, Inc.
104 Hubbard Street, Blacksburg, Virginia 24062
 SIGNATURE [Signature]

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DATE 5/26/99